

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re:	)	
	)	
CIRCUIT CITY STORES, INC., et al.,	)	Case No. 08-35653-KRH
	)	Chapter 11
Debtors.	)	(Jointly Administered)

**RESPONSE OF SPRING HILL DEVELOPMENT PARTNERS,  
GP, DICKSON MANAGEMENT ASSOCIATES, LLC AND  
GALLATIN MANAGEMENT ASSOCIATES, LLC TO DEBTORS'  
TENTH OMNIBUS OBJECTION TO CERTAIN DUPLICATE CLAIMS**

Counsel for Spring Hill Development Partners, GP, Dickson Management Associates, LLC and Gallatin Management Associates, LLC (collectively, the "Claimant"), by counsel, hereby respond as follows to the Debtors' Tenth Omnibus Objection to Certain Duplicate Claims (the "Objection"):

1. The Claimant, as the landlord, entered into a lease dated October 26, 2007, as amended (the "Lease"), with Circuit City Stores, Inc. (the "Tenant"), with respect to the leased premises located at 1037 Crossing Boulevard, Spring Hill, Tennessee and within The Crossings at Spring Hill Shopping Center.

2. On January 19, 2009, the Claimant electronically filed with the Court a proof of claim for lease rejection damages in the amount of \$348,060.75 against the Tenant (Claim No. 3853).

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Management Associates, LLC and Gallatin Management Associates, LLC*

3. The Claimant then timely mailed the same proof of claim to the Debtors' claims processing agent, *i.e.*, Kurtzman Carson Consultants, LLC ("Kurtzman"). Kurtzman received this claim on January 20, 2009, and identified it as Claim No. 4566.

4. On April 21, 2009, the Claimant mailed to Kurtzman an additional proof of claim (Claim No. 12336), which claim served to amend the amount of Claim No. 4566 from \$348,060.75 to \$531,090.58.

5. In the Objection, the Debtors seek the disallowance of Claim No. 3853 in that such claim is allegedly duplicative of Claim No. 4566. The Debtors further request that Claim No. 4566 be deemed the sole surviving claim for the Claimant's lease rejection damages.

6. The Claimant does not object to the disallowance of Claim No 3853, so long as Claim No. 4566, as amended by Claim No. 12336, survives.

**WHEREFORE**, for the reasons stated herein, the Claimant respectfully requests this Court to issue an Order: (a) stipulating that the Debtors' Objection as to the disallowance of Claim No. 3853 as a duplicate claim of Claim No. 4566 is granted and that Claim No. 4566, as amended by Claim No. 12336, survives; and (b) granting such other and further relief to the Claimant as this Court deems just and proper.

Dated: June 29, 2009

Respectfully submitted,

/s/ Michael P. Falzone

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**Declaration of Sheila deLa Cruz, Esq.**

Ms. Sheila deLa Cruz, Esq. states as follows:

I serve as counsel for the claimants, Spring Hill Development Partners, GP, Dickson Management Associates, LLC and Gallatin Management Associates, LLC. With respect to the factual allegations contained in the foregoing Response, I have personal knowledge of such facts and represent that such allegations are true and accurate to the best of my knowledge, information and belief.

Dated: June 29, 2009

By: \_\_\_\_\_

Sheila deLa Cruz, Esq.

Title: Counsel for Spring Hill  
Development Partners, GP, Dickson  
Management Associates, LLC and Gallatin  
Management Associates, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of June, 2009, a true and correct copy of the above and foregoing was served by the method or methods specified below:

  X   by **electronically** filing it with the Court using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

\_\_\_\_\_  
/s/ Michael P. Falzone

Michael P. Falzone

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